

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

WILLIAM WELLS, *et al.*,

Plaintiffs,

v.

Case No. 2:11-CV-00217

JUDGE EDMUND A. SARGUS, JR.

Magistrate Judge Mark R. Abel

BRANDON RHODES, *et al.*,

Defendants.

**ORDER**

This case came before the Court for a status conference on July 12, 2013. There is a dispute between the parties as to whether there are any remaining unresolved claims—and specifically unresolved issues concerning damages—against Defendant D.G. in light of the Court's previous default judgment proceedings. As discussed at the conference, with regard to Defendant Brandon Rhodes, this case will proceed to trial on July 22, 2013 as scheduled.

With regard to Defendant D.G., the parties will conform with the following schedule:

- Plaintiffs and Defendant D.G. will submit simultaneous briefing addressing whether there are any remaining unresolved claims against Defendant D.G. in light of the Court's previous default rulings on or before **FRIDAY JULY 26, 2013**.
- Plaintiffs and Defendant D.G. may submit simultaneous responsive briefing on or before **MONDAY AUGUST 5, 2013**.
- The Court will hold a hearing to address this issue on **THURSDAY SEPTEMBER 5, 2013 at 10:00 a.m.**<sup>1</sup> If the Court finds that claims against Defendant D.G. remain unresolved, the parties should be prepared to present evidence as to what, if any, damages remain as to Defendant D.G.<sup>2</sup>

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<sup>1</sup> As indicated at the status conference, the Court planned to hold the hearing at an earlier date. Unfortunately, the Court's current trial schedule requires postponement of the hearing until the above date.

<sup>2</sup> As discussed at the conference, Defendant D.G. continues to dispute the Court's jurisdiction over this action. As the parties agreed at the conference, Defendant D.G.'s

**IT IS SO ORDERED.**

07-12-13  
**DATE**

  
**EDMUND A. SARGUS, JR.**  
**UNITED STATES DISTRICT JUDGE**

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participation in the August 16, 2013 hearing does not constitute waiver of such issues on appeal.